



UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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DONALD RACKLEY,

Plaintiff,

- against -

CONSTELLIS, LLC, CONSTELLIS  
HOLDINGS, LLC, and CENTERRA GROUP,  
LLC,

Defendants.  
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22-CV-4066 (GHW) (RWL)

## ORDER

**ROBERT W. LEHRBURGER, United States Magistrate Judge.**

This order resolves Plaintiff's letter motion at Dkt. 41 to compel Defendants to answer eight requests to admit, or, in the alternative, proffer a corporate representative to sit for a 30(b)(6) deposition. Having considered the parties arguments (reflected in Dkts. 41- 43), the Court GRANTS the motion to the extent that Defendants are required to substantively answer the requests to admit. The Court agrees that the timing of the requests is warranted by the history of Defendants' limited productions of the native spreadsheets at issue. The Court also agrees that answers to the requests to admit will streamline evidence for later use, even though Plaintiff otherwise "can live with not having answers ... because the data is there in the spreadsheets." (Dkt. 41 at 3.) Of course, whether or not the evidence will be admissible is a question to be determined at a later juncture. Defendants have not identified any specific burden in answering the requests, and the requested information appears potentially relevant, particularly given the allegations made at Paragraphs 55-56 of the First Amended Complaint.

SO ORDERED.

A handwritten signature in black ink, appearing to read 'R. Lehrburger', with a long horizontal stroke extending to the right.

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ROBERT W. LEHRBURGER  
UNITED STATES MAGISTRATE JUDGE

Dated: July 24, 2023  
New York, New York

Copies transmitted this date to all counsel of record.